

TOWN OF GIBSONS

BYLAW NO. 1065-61, 2021

A Bylaw to amend *Town of Gibsons Zoning Bylaw No. 1065, 2007*

WHEREAS the Council for the Town of Gibsons has adopted *Town of Gibsons Zoning Bylaw No. 1065, 2007*;

AND WHEREAS the Council deems it desirable to amend the Zoning Bylaw;

NOW THEREFORE the Council, in open meeting assembled, enacts as follows:

- 1) This Bylaw may be cited as the *Zoning Amendment Bylaw No. 1065-61, 2021*.
- 2) The *Town of Gibsons Zoning Bylaw No. 1065, 2007* is amended by:
 - a) Altering the zoning designation for 703 Gibsons Way, legally described as:
 - i) STRATA LOT 1 DISTRICT LOT 686 GROUP 1 NEW WESTMINSTER DISTRICT STRATA PLAN EPS1973 TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM V, PID: 029-315-832
 - ii) STRATA LOT 2 DISTRICT LOT 686 GROUP 1 NEW WESTMINSTER DISTRICT STRATA PLAN EPS1973 TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM V, PID: 029-315-841
 - iii) STRATA LOT 3 DISTRICT LOT 686 GROUP 1 NEW WESTMINSTER DISTRICT STRATA PLAN EPS1973 TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM V, PID: 029-315-859
 - iv) STRATA LOT 4 DISTRICT LOT 686 GROUP 1 NEW WESTMINSTER DISTRICT STRATA PLAN EPS1973 TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM V, PID: 029-315-867
 - v) STRATA LOT 5 DISTRICT LOT 686 GROUP 1 NEW WESTMINSTER DISTRICT STRATA PLAN EPS1973 TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM V, PID: 029-315-875
 - vi) STRATA LOT 6 DISTRICT LOT 686 GROUP 1 NEW WESTMINSTER DISTRICT STRATA PLAN EPS1973 TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM V, PID: 029-315-883

from the existing Upper Gibsons Commercial District 1 (C-1) to Live-Work Zone 2 (LW-2) as shown on Schedule "A" attached to and forming part of this bylaw.

- b) Inserting Live-Work Zone 2 (LW-2) regulations to Part 12 as follows

LIVE-WORK ZONE 2 (LW-2)

12.47 Application and Intent

The regulations of this zone shall apply to the use of land, buildings, and structures within the Live-Work Zone 2, as shown on the map attached to this Bylaw as Schedule A. The intent of this zone is to allow for mixed-use development of small sized business units which may incorporate living quarters of proprietors. This zone is intended to provide flexibility and support for small and/or starting businesses if uses are compatible with residential uses on site and in adjacent areas.

The zone allows for the re-use of existing commercial or industrial buildings.

12.48 Permitted Principal Uses

- (1) retail use, limited to not more than 1000.0 m² (10,763.0 ft²) of gross floor area in a single business conducting retail use or retail uses combined with other permitted commercial uses;
- (2) office use;
- (3) service commercial use;
- (4) apartment use;
- (5) studios for audio recording, television and movie production;
- (6) production studios of artists and artisans;
- (7) pre-school facilities;

12.49 Permitted Accessory Uses

- (1) accessory off-street parking and loading;
- (2) accessory buildings as permitted by Section 4.13 -4.20

12.50 Prohibited Uses

The following uses are prohibited:

- (1) the conduct of any permitted use outside of a building;
- (2) the outdoor storage of goods and things;

12.51 Density

- (1) The maximum base density for residential use is 6 *dwelling units* per lot.
- (2) A bonus density to permit a maximum FSR of 1.0 is permitted subject to providing a Community Amenity Contribution based on an economic analysis, which would be conducted at the applicant's expense, to calculate the land value created by the proposal beyond the land value under the base density to identify justifiable Community Amenity Contribution levels while maintaining project economic viability.

12.52 Minimum Lot Area

The minimum lot area is 600 m² (6457.8 ft²).

12.53 Minimum Lot Width

The minimum lot width is 15 m (50 ft).

12.54 Minimum Lot Depth

The minimum lot depth is 30 m (100 ft).

12.55 Setbacks

- (1) The minimum setbacks are:
 - a) front lot line: 0 m (0 ft);
 - b) interior side lot line: 3 m (9.8 ft)
 - c) exterior side lot line: 3 m (9.8 ft);
 - d) rear lot line : 6 m (19.7 ft);
- (2) Notwithstanding 1255 (1) above, except where abutting a C-1, C-1A, C-2, C-3, C-4, C-5, C-6, C-7, C-8, I-1, LW and LW-2 zone, the minimum setbacks are:
 - a) interior side lot line: 0 m (0 ft);
 - b) exterior side lot line 0 m (0 ft);
 - c) rear lot line: 4.5 m (14.8 ft);

12.56 Maximum Lot Coverage

The maximum lot coverage is 80%.

12.57 Maximum Height of Buildings

- (1) The maximum height of principal buildings is 12.0 m (39.4 ft);
- (2) Notwithstanding 12.57 (1), where an owner has provided a Community Amenity Contribution in which case the maximum height 15.0 m (49.34 ft).

12.58 Off-Street Parking and Loading

- (1) Off-street parking and loading spaces must be provided and maintained in accordance with Part 6.
- (2) Despite any provision of this Bylaw visitor parking requirements for residential uses shall be reduced to 0 provided visitor parking is shared with commercial use parking and provided an equivalent amount of commercial spaces are clearly marked as “commercial or visitor parking”.

12.59 Landscaping and Screening

- (1) All portions of a lot not covered by buildings, structures and paved areas must be landscaped and maintained as required by Sections 4.5 and 6.14;
- (2) A 2.0 m (6.6 ft) high fence, landscaping, or combination thereof, must be provided to screen all garbage and recycling container pads; and,
- (3) Parking areas containing more than ten spaces in one row must incorporate raised landscape planters not less than 1.0 m (3.3 ft) in width and 5.7 m (18.7 ft) in length and at least every ten spaces.

b) Making such consequential alterations and annotations as are required to give effect to this amending bylaw, including renumbering of subsequent provisions of the Bylaw.

READ a first time the	6th	day of JULY,	2021
READ a second time the	6th	day of JULY,	2021
PUBLIC HEARING held the	XX	day of MONTH,	202X
READ a third time the	XX	day of MONTH,	202X
APPROVED pursuant to Section 52(3)(a) of the <i>Transportation Act</i> the	XX	day of MONTH,	202X
ADOPTED the	XX	day of MONTH,	202X

William Beamish, Mayor

Rebecca Anderson, Corporate Officer